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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,876	06/27/2005	Yuji Nakazawa	0425-1194PUS1	1803

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EXAMINER

RINEHART, KENNETH

ART UNIT	PAPER NUMBER
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3749

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	02/20/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 02/20/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/540,876

Applicant(s)

NAKAZAWA, YUJI

Examiner

Kenneth B. Rinehart

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6/27/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 2 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Shuji (11-304130). Shuji shows the seatbelt pretensioner, which contains an explosive component, is subjected to thermal treatment at a temperature that is equal to or higher than an ignition point of the explosive component after removing the attachments, a seatbelt pretensioner and attachments thereof, wherein only a part containing an explosive component is removed from the seatbelt pretensioner, and this part is subjected to thermal treatment at a temperature that is equal to or higher than an ignition point of the explosive component (paragraphs 1-3, abstract).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shuji (11-304130) in view of Daicel (9-253619). Shuji discloses the seatbelt pretensioner, which contains an explosive component, is subjected to thermal treatment at a temperature that is equal to or higher than an ignition point of the explosive component after removing the attachments, a

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seatbelt pretensioner and attachments thereof, wherein only a part containing an explosive component is removed from the seatbelt pretensioner, and this part is subjected to thermal treatment at a temperature that is equal to or higher than an ignition point of the explosive component (paragraphs 1-3, abstract), a thermally treating tower (36, fig. 1), a seatbelt pretensioner introducing port for introducing the seatbelt pretensioner into the thermally treating tower (50, fig. 1), a heating device disposed in the interior of the thermally treating tower (16, fig. 1), and a cooling device for cooling gas that is discharged from the thermally treating tower (40, 42, 44, fig. 1). Shuji discloses applicant's invention substantially as claimed with the exception of attachments. Daicel teaches attachments (paragraphs 10-13 and abstract) for the purpose of improving efficiency. It would have been obvious to one of ordinary skill in the art to modify Shuji by including attachments as taught by Daicel for the purpose of improving efficiency so that operating costs are reduced.

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shuji (11-304130) in view of Daicel (9-253619) as applied to claim 1 above, and further in view of Daicel (7-277131). Shuji (11-304130) in view of Daicel (9-253619) discloses applicant's invention substantially as claimed with the exception of valuable resources, including metals, are separated and recovered from combustion residue produced by the thermal treatment, the removed attachments and/or the seatbelt pretensioner that remains after removal of the part containing the explosive component are further dismantled, whereby plastics and metals are separated and recovered according to type. Daicel teaches valuable resources, including metals, are separated and recovered from combustion residue produced by the thermal treatment, the removed attachments and/or the seatbelt pretensioner that remains after removal of the part containing the

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explosive component are further dismantled, whereby plastics and metals are separated and recovered according to type (abstract, full text) for the purpose of recovering materials. It would have been obvious to one of ordinary skill in the art to modify Shuji by including valuable resources, including metals, are separated and recovered from combustion residue produced by the thermal treatment, the removed attachments and/or the seatbelt pretensioner that remains after removal of the part containing the explosive component are further dismantled, whereby plastics and metals are separated and recovered according to type as taught by Daicel (7-277131) for the purpose of recovering materials to prevent improper disposal and possible sale of scrap materials.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shuji (11-304130) in view of Daicel (9-253619) as applied to claim 1 above, and further in view of Burkett (1626180). Shuji (11-304130) in view of Daicel (9-253619) discloses applicant's invention substantially as claimed with the exception of an indoor facility comprising a lightning conductor. Burkett teaches an indoor facility comprising a lightning conductor for the purpose of protecting the building. It would have been obvious to one of ordinary skill in the art to modify Shuji by including an indoor facility comprising a lightning conductor as taught by Burkett (1626180) for the purpose of protecting the building to prevent property damage.

Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shuji (11-304130) in view of Kanto (2002-204948). Shuji discloses ..., which contains an explosive component, is subjected to thermal treatment at a temperature that is equal to or higher than an ignition point of the explosive component after removing the attachments, and attachments thereof, wherein only a part containing an explosive component is removed from the ..., and this

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part is subjected to thermal treatment at a temperature that is equal to or higher than an ignition point of the explosive component (paragraphs 1-3, abstract). Kanto teaches the seatbelt pretensioner (abstract) for the purpose of disposing of the item. It would have been obvious to one of ordinary skill in the art to modify Shuji by including the seatbelt pretensioner as taught by Kanto for the purpose of disposing of the item to insure public safety.

Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shuji (11-304130) in view of Daicel (9-253619) and Kanto (2002-204948). Shuji discloses, which contains an explosive component, is subjected to thermal treatment at a temperature that is equal to or higher than an ignition point of the explosive component after removing the attachments, a and attachments thereof, wherein only a part containing an explosive component is removed from the ..., and this part is subjected to thermal treatment at a temperature that is equal to or higher than an ignition point of the explosive component (paragraphs 1-3, abstract), a thermally treating tower (36, fig. 1), a ... introducing port for introducing the ... into the thermally treating tower (50, fig. 1), a heating device disposed in the interior of the thermally treating tower (16, fig. 1), and a cooling device for cooling gas that is discharged from the thermally treating tower (40, 42, 44, fig. 1). Daicel teaches attachments (paragraphs 10-13 and abstract) for the purpose of improving efficiency. It would have been obvious to one of ordinary skill in the art to modify Shuji by including attachments as taught by Daicel for the purpose of improving efficiency so that operating costs are reduced. Kanto teaches the seatbelt pretensioner (abstract) for the purpose of disposing of the item. It would have been obvious to one of ordinary skill in the art to modify Shuji by including the seatbelt pretensioner as taught by Kanto for the purpose of disposing of the item to insure public safety.

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Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shuji (11-304130) in view of Daicel (9-253619) and Kanto (2002-204948) as applied to claim 1 above, and further in view of Daicel (7-277131). Shuji (11-304130) in view of Daicel (9-253619) and Kanto (2002-204948) discloses applicant's invention substantially as claimed with the exception of valuable resources, including metals, are separated and recovered from combustion residue produced by the thermal treatment, the removed attachments and/or ..., that remains after removal of the part containing the explosive component are further dismantled, whereby plastics and metals are separated and recovered according to type. Daicel teaches valuable resources, including metals, are separated and recovered from combustion residue produced by the thermal treatment, the removed attachments and/or ... that remains after removal of the part containing the explosive component are further dismantled, whereby plastics and metals are separated and recovered according to type (abstract, full text) for the purpose of recovering materials. It would have been obvious to one of ordinary skill in the art to modify Shuji by including valuable resources, including metals, are separated and recovered from combustion residue produced by the thermal treatment, the removed attachments and/or ... that remains after removal of the part containing the explosive component are further dismantled, whereby plastics and metals are separated and recovered according to type as taught by Daicel (7-277131) for the purpose of recovering materials to prevent improper disposal and possible sale of scrap materials.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shuji (11-304130) in view of Daicel (9-253619) and Kanto (2002-204948) as applied to claim 1 above, and further in view of Burkett (1626180). Shuji (11-304130) in view of Daicel (9-253619) and Kanto (2002-204948) discloses applicant's invention substantially as claimed with the exception of an indoor

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facility comprising a lightning conductor. Burkett teaches an indoor facility comprising a lightning conductor for the purpose of protecting the building. It would have been obvious to one of ordinary skill in the art to modify Shuji by including an indoor facility comprising a lightning conductor as taught by Burkett (1626180) for the purpose of protecting the building to prevent property damage.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Rinehart whose telephone number is 571-272-4881. The examiner can normally be reached on 7:20 -4:20.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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KENNETH RINEHART
PRIMARY EXAMINER

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